

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

HUBERT C. SMITH, JR.,

Plaintiff,

vs.

**JO ANNE B. BARNHART,
Commissioner of Social Security,**

Defendant.

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5:05-cv-334 (CAR)

***ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 15] to reverse and remand the Social Security Commissioner's final decision to deny Plaintiff benefits. No Objection to the Recommendation has been filed, and this Court, having considered the matter, agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**; the final decision of the Commissioner is hereby **REVERSED** and **REMANDED**.

SO ORDERED, this 28th day of September, 2006.

S/ C. Ashley Royal _____
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

AEG